

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was contaminated with sand, and that the contents consisted in part of moldy raisins.

Adulteration of the article was alleged in the libel in that it had been mixed and packed with an article so as to reduce and lower and injuriously affect its quality and strength, and in that it consisted in whole or in part of a decomposed vegetable substance.

On November 7, 1919, Matchett Macklem Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$350, conditioned in part that the raisins be not used for human food or consumption.

E. D. BALL, *Acting Secretary of Agriculture.*

8396. Misbranding of Gillen's Cholera Remedy. U. S. * * * v. 248 Cases, More or Less, of a Product Labeled in Part, "Gillen's Cholera Remedy." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11072. I. S. Nos. 9415-r, 9416-r. S. No. C-1412.)

On August 14, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 248 cases of Gillen's Cholera Remedy, at New Athens, Ill., consigned by the Gillen Remedy Co., Atlanta, Ga., alleging that the article had been shipped on or about March 20, 1919, and transported from the State of Georgia into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Gillen's Hog Remedy for Hogs and Chickens."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of saponified tar oil and sodium sulphate.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label on the package containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a treatment and as a preventive for cholera in hogs and chickens and for sore head and roup and white diarrhea in little chicks, whereas, in truth and in fact, it was not.

On June 30, 1920, the United Stock Remedies Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$2,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8397. Misbranding of Benetol Vaginal Suppositories. U. S. * * * v. 141 Packages, 50-Cent Size, and 21 Packages, \$1 Size, of Benetol Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11487, 11488. I. S. Nos. 3049-r, 3050-r. S. Nos. W-522, W-523.)

On or about October 19, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 141 packages, 50-cent size, and 21 packages,

\$1-size, of Benetol vaginal suppositories, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Washington, arriving at Seattle on or about August 25, 1919, and October 19, 1919, respectively, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of alpha and beta-naphthol, boric acid, and traces of menthol and phenol in a cacao butter base.

Misbranding of the article in both shipments was alleged in substance in the libels for the reason that certain statements appearing on the labeling of the box containing the article and in the booklet accompanying it, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented it to be effective for the treatment of the special diseases of women and for the treatment of leucorrhœa (whites), vaginitis, vulvitis, cervicitis, endometritis, gonorrhœa, and all diseases of the vagina, for inflammation or irritation of the cervix (mouth of the womb), for the treatment of sexual diseases, and as a general disinfectant and local tonic, whereas it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 16, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8398. Adulteration and misbranding of evaporated apples. U. S. * * * v. 23 Boxes, More or Less, of Alleged Evaporated Apples Labeled in Part, "50 Pounds Sunset Brand Evaporated or Dried Product of Apples Prepared with Sulphur Fumes New Crop Faultless Blending of American Apples, J. W. Teasdale & Co." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12256. I. S. No. 10626-r. S. No. C-1792.)

On or about March 2, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of alleged evaporated apples, at Danville, Ill., consigned by J. W. Teasdale & Co., St. Louis, Mo., alleging that the article had been shipped on or about January 13, 1920, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Sunset Brand Evaporated or Dried Product of Apples."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained an excessive quantity of water.

Adulteration of the article was alleged in the libel in that an excessive amount of water had been mixed with, and substituted wholly or in part for, evaporated apples, which the article purported to be.

Misbranding of the article was alleged in that the statement on the label on the box containing the article, "Sunset Brand Evaporated or Dried Apples," was false and misleading and deceived and misled the purchaser into the belief that the article was evaporated or dried apples, whereas it was not, and for the further reason that the article was offered for sale under the distinctive name of another article.

On June 30, 1920, J. W. Teasdale & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and